IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.916 OF 2006
IN
CRIMINAL APPLICATION NO.3753 OF 2006

1.Deepak Jhunjhunwala, &
2.Suresh Jhunjhunwala. ...Applicants.

Versus

The State of Maharashtra. ...Respondent.

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Mr.R.G.Merchant, Adv. for Applicants.
Mr.Rajesh More, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 18th April, 2007.

P.C.:

1. Heard.

2. The applicants have made two prayers in this application. The first prayer is for waiver of the condition of depositing the sum of Rs.5,00,000/- with the BMC; and the second prayer is for relaxation of condition of attendance of the applicants before the office of Economics Offences Wing Unit - III, Mumbai.

3. The learned APP, on instructions states

that as far as prayer for relaxation of attendance is concerned, there is no objection to the said condition being relaxed. Hence, I am inclined to modify the said condition. Instead of the applicants reporting to Economic Offences Wing, Unit-III, Mumbai once in a fortnight, the applicants shall report as and when required by the Economic Offences Wing, Unit-III, till conclusion of the trial.

4. As far as the first prayer of waiver of condition of depositing Rs.5,00,000/- with the BMC is concerned, it is seen that the amount is to be deposited with the BMC. However, BMC is not a party to the present application. In this view of the matter, I am not inclined to grant the said prayer in the present application. However, liberty is granted to the applicants to prefer a separate application for waiver of the said condition after adding BMC as party respondent.

5. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)